

# The Democratic Banner.

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## PROBERS SAY PEARS TOLD TRUTH

### In His Statement On Telephone Bill Investigation

#### Find He Was Offer- ed Bribe.

#### WORK FOR GRAND JURY

#### Exonerate Members of House From Wrongdoing.

#### IS EVEN BREAK ON WINTERS

#### Investigators Say Erie County Member's Testimony Contra- dicted, But They Believe Con- versation Had Suspicious Ring. Recommend Laws to Punish Attempts to Interfere With Legislation By Means of Fake Telephone Calls.

Columbus, O., April 21.—The committee named by the house to investigate the charges that attempts had been made to corrupt certain representatives during the consideration of the Elson telephone merger bill in the house, has completed its labor. Its report says in part:

An examination of the sworn testimony connects no member of the house of representatives with any irregular or unlawful act in connection with the introduction, pendency or passage of House Bill No. 231; but the record of the proceedings does disclose positive and direct evidence tending to show that an unsuccessful attempt was made, in violation of the General Code, to influence the Honorable Howard W. Pears, member of the house from Allen county, in his vote on the Elson bill so-called. From the evidence it further appears that there are strong corroborative circumstances supporting the aforesaid positive testimony, and it is the opinion and judgment of the committee that the grand jury of Franklin county and the prosecuting attorney thereof will find ample evidence in the record of the proceedings to warrant and justify a vigorous investigation of the same.

Testimony is Contradictory.

Positive evidence is disclosed by the testimony of Honorable Cyrus B. Winters, member of the house from Erie county, that upon consideration of the withdrawal of his opposition to the Elson bill, and thereupon becoming favorable thereto, he would receive political influence and support in his candidacy for the office of secretary of state or any other office to which he might aspire, or that he would receive political support for anything that he might want. This evidence, however, is contradicted by evidence equally as positive and direct, and by reason thereof the committee is unable to make any finding of fact, excepting that in the conversation as recited by the same member from Erie, and uncontradicted by any witness, it appears that the subject of the passage of the Elson bill and the candidacy for office on the part of the member from Erie were intermingled at the same time and place, and thus logically leaving an inference that the motives and purposes of the conversation detailed in the evidence by the member from Erie were to convince him that a change of attitude toward the Elson bill would be to his political advantage. We think that from the weight of the evidence with respect to this conclusion is fairly deducible.

From the testimony of the Honor-

#### VOTE ON ELSON BILL.

For — Alsdorf, Cetone, Crawford, Dean, Gillette, Gotshall, Huffman, Johnson, Lawyer, Mather, Mooney, Patterson, Shaffer, Thompson—14.

Against—Bader, Baker, Beatty, Cameron, Cleveland, Cory, Duval, Keller, Kuhl, McKee, Mahaffey, Mathews, Mendelson, Phares, Rathburn, Tod, Tuttle, Williams, Yount—19.

able Charles Degenhart, member from Hamilton county, it appears that on the second legislative day after the passage of the Elson bill so-called, while waiting and watching at his seat in the house for a proper time to make a motion for a reconsideration of said bill, he was called from the floor of the house and detained therefrom with the probable design, purpose and motive of persuading said Degenhart from making any attempt to reconsider the vote taken on House Bill No. 231.

#### Fake Calls Were Frequent.

From other testimony it appears that pretended telephone calls were made use of not infrequently and for purposes which appear obvious, and in the judgment of the committee it is the imperative duty of the general assembly to enact a statute making it a penal offense to entice or decoy any member of the general assembly while in session from the floor of either branch thereof with the intent to interfere in any manner with the exercise of the legislative functions.

It further appears from the testimony that the companies operating the telephone booths in the house of representatives place their own employees in charge of the same, and thereby open the door for improper influences to enter and effect whatever object and purpose they may have; and in the opinion of the committee some change or regulation preventing the aforesaid condition is obviously necessary.

While it is impossible to deny the right to petition the general assembly to any citizen, and, therefore, impossible to prevent the assemblage of citizens interested in legislation at the capitol, yet inasmuch as it is the existence of the lobby so-called that gives rise to the complaints and criticisms that gather about a general assembly during the discussion of important bills, the same should be restricted and limited to every extent within the limit of the law, to the end that reason instead of passion, judgment instead of impulse, deliberation instead of haste, should be determining guides of the legislator.

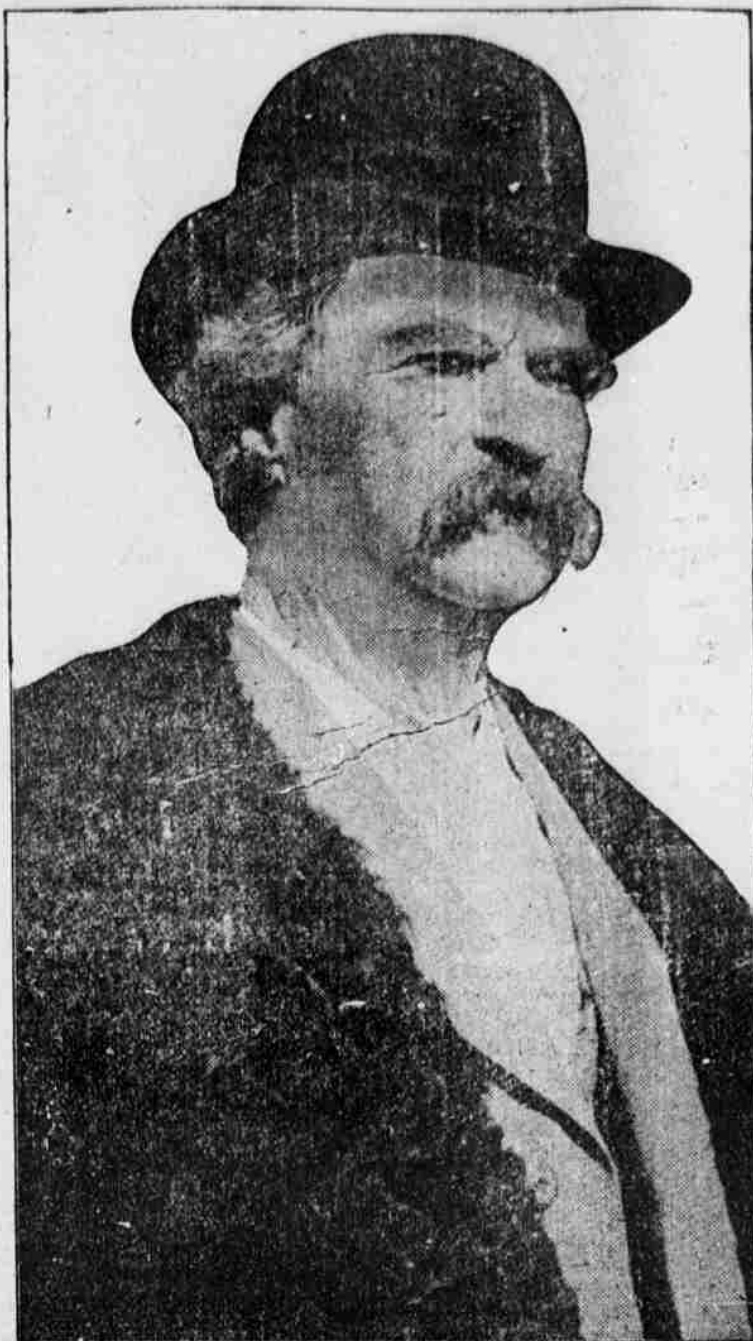
Lewis C. Bernard of Cincinnati voluntarily went before the probe committee and, after accepting the statement of the committee that he was not thereby immunizing himself, testified. He made a complete denial of Mr. Winters' charges.

## HEARST CALLS ON TAFT

Washington, April 21.—W. R. Hearst called at the White House and talked with President Taft for half an hour. Later he set political Washington guessing by handing out a characteristic statement in which he damns Roosevelt and heaps a large measure of praise on President Taft.

#### Wertz Out of Race.

Wooster, O., April 21.—Edwin S. Wertz announced that he would not enter the race for the Democratic nomination as candidate from the Seventeenth congressional district, opposing W. A. Ashbrook, who is out for a third term.



MARK TWAIN'S LATEST PICTURE.

## ELSON TELEPHONE BILL DEFEATED IN SENATE

Columbus, O., April 21.—By a vote of 14 to 19, the senate defeated the Elson bill, permitting telephone companies in Ohio to be merged, the passage of which in the house resulted in a legislative bribery investigation. Friends of the measure declared that up until the vote they fully expected it to pass. There was a prolonged debate, the central thought of which was the notoriety which followed the house's action in passing it. Messrs. Mather, Duval, Patterson, Yount, Mendelson, Rathburn, Mathews and others participated in the discussion. It had been predicted that the Hamilton county delegation would support the measure, but Senator Johnson was the only member of the delegation who did so. Before being killed, the bill was greatly weakened by amendments. One by Rathburn excluded long distance telephone companies from the merger privilege. This was a body blow for the bill.

#### Flooded With Messages.

During the day senators were flooded with telegrams and telephone

messages sent in behalf of the bill. When the measure came up for action Lieutenant Governor Treadway ordered that no telephone messages be received during the debate and no one in the senate be called to the telephone. His order was promptly obeyed by the revolution in the house that when the vote was being taken there members were summoned from their seats by lobbyists at the telephones.

The senate acceded to the request of the house for a conference on the tax limit proposition, and Senators Cleveland, Mendelson and Alsdorf were appointed members for the senate.

The house refused to concur in the senate amendments to the general appropriation measure, and it will also be sent to conference.

The house passed the senate bill appropriating \$150,000 for the celebration of the Perry Victory centennial at Put-In-Bay Island, Lake Erie, in 1913. A bill is now pending in congress asking for a \$250,000 appropriation. Other states will join in the celebration.

## CHILD KIDNAPED

Newark, O., April 21.—Angela, the 5-year-old daughter of L. A. Stare, a wealthy contractor of this place, is missing, and her mother is frantic from grief, supposing the little tot has been kidnaped. Suspicion pointed to a band of gypsies encamped west of the town, and a thorough search of the camp will be made.

#### Three Fishermen Drowned.

Atlantic City, April 21.—Seven men were plunged into the roaring sea off Herford inlet by the capsizing of a fishing boat. Three were drowned, while crews of the government lifesaving service rescued four of the men, who are recovering at lonely Herford station.

#### Thermometers.

A mercurial thermometer will not register a lower temperature than 28 below zero, while a spirit thermometer will become sluggish at 50 below.

## ROBBED ON TRAIN

New York, April 21.—Frank H. Hoffstot, president of the Pressed Steel Car company, whose lawyers have been fighting to prevent his extradition to Pittsburg, where he is under indictment in connection with the bribery scandals, was arrested at the criminal courts building as a fugitive from justice.

#### Musician's Wife Seeks Divorce.

Cincinnati, O., April 21.—Mrs. Vassella asks for a divorce from Bandmaster Vassella of Atlantic City. She charges non-support. The plaintiff was Edna Egan, daughter of a local millionaire. The romantic courtship and marriage was the result of a summer flirtation.

#### North and South America.

The area of South America is slightly greater than that of North America.

## LAWYERS' SCRAP ENLIVENS TRIAL

#### Hyde's Bond Almost Revoked as Result.

#### PERJURY CHARGES PROMISED

Trouble Arose Over Losing of Grand Jury Notes and Finding of Same by Woman Who Turned Them Over to Defense—Contain Evidence of Dr. Haines, Who Testified That No Cyanide of Potassium Was Found in Colonel Swope's Viscera.

Kansas City, April 21.—A stormy courtroom scene, in which many lawyers addressed the court at the same time, bandied charges of unfair play among themselves, the bond of Dr. B. C. Hyde being almost revoked, and attorneys for the defense threatening upon certain conditions to attempt impeachment of state witnesses, marked the Hyde murder trial.

The trouble all rose because an attache of Prosecutor Conkling's office lost the grand jury's notes of the testimony of Dr. Walter S. Haines and 42 other state witnesses. A woman found the notes and gave them to Frank P. Walsh, chief counsel for Dr. Hyde. These notes, according to Mr. Walsh, contain statements of Dr. Haines that no cyanide of potash was found in the viscera of Colonel Swope, and that not enough poison was found in Chrisman Swope's viscera to cause death.

"If Dr. Haines swears on the witness stand to any alleged facts other than these he will be prosecuted for perjury," said Mr. Walsh. Perjury is a capital offense in a murder case. Miss Pearl Keller, who attended Colonel Swope in his last illness, took the stand after the upheaval in the court. She told about and acted out, in part, the entire scene in the millionaire's death chamber. Colonel Swope was unable to speak during a part of his illness. When attorneys asked Miss Keller about his actions during this period she was forced to explain them in pantomime.

Miss Keller started to tell of the typhoid epidemic in the Swope home. The defense objected, contending this was immaterial to the death of Colonel Swope. The court held that it would not admit any of this testimony until the state showed a connection.

#### LIVE STOCK AND GRAIN

CHICAGO—Cattle: Beefsteers, \$5.00@5.50; Texas steers, \$4.75@5.25; stockers and feeders, \$3.75@4.50; cows and heifers, \$3.75@4.50; calves, \$4.75@5.50; sheep and lambs—Native sheep, \$4.50@5.00; western, \$5.00@5.50; native lambs, \$7.50@8.50; western, \$8.00@9.00; yearlings, \$7.50@8.50; Hogs—Light, \$5.50@6.00; mixed, \$5.00@5.50; heavy, \$4.50@5.00; rough, \$4.00@4.50; pigs, \$3.50@4.00; Wheat—No. 2 red, \$1.00@1.05; No. 2 white, \$1.00@1.05; Corn—No. 2, \$1.00@1.05; Oats—No. 2, \$1.00@1.05.

EAST BUFFALO—Cattle: Export cattle, \$8.00@8.50; shipping steers, \$7.75@8.00; butcher cattle, \$7.25@7.50; heifers, \$5.00@5.50; fat cows, \$4.00@4.50; bulls, \$4.50@5.00; milkers and springers, \$2.00@2.50; Calves—\$3.00@3.50; Sheep and lambs—Mixed sheep, \$7.00@7.50; wethers, \$7.50@8.00; ewes, \$5.00@5.50; lambs, \$7.00@7.50; yearlings, \$6.00@6.50; Hogs—Heavy, \$5.00@5.50; medium, \$4.50@5.00; light, \$4.00@4.50; Yorkers, \$3.50@4.00; pigs, \$3.00@3.50; roughs, \$2.50@3.00; stags, \$7.00@7.50.

PITTSBURGH—Cattle: Choice, \$5.25@5.50; prime, \$4.75@5.00; tidy butchers, \$4.00@4.50; heifers, \$4.50@5.00; cows, \$3.50@4.00; bulls, \$3.00@3.50; fresh cows, \$2.50@3.00; Calves—Veal, \$6.00@6.50; Sheep and lambs—Prime wethers, \$7.50@8.00; good mixed, \$7.00@7.50; lambs, \$6.00@6.50; spring lambs, \$5.00@5.50; Hogs—Heavy hogs, \$5.25@5.50; medium, \$4.50@5.00; light, \$4.00@4.50; Yorkers, \$3.50@4.00; pigs, \$3.00@3.50; roughs, \$2.50@3.00; stags, \$7.00@7.50.

CLEVELAND—Cattle: Choice steers, \$7.00@7.50; heifers, \$6.50@7.00; fat cows, \$5.00@5.50; bulls, \$4.50@5.00; milkers and springers, \$2.00@2.50; Calves—\$3.00@3.50; Sheep and lambs—Mixed sheep, \$6.50@7.00; ewes, \$5.00@5.50; lambs, \$6.00@6.50; yearlings, \$5.00@5.50; Hogs—Heavy, \$5.00@5.50; medium, \$4.50@5.00; light, \$4.00@4.50; Yorkers, \$3.50@4.00; pigs, \$3.00@3.50; roughs, \$2.50@3.00; stags, \$7.00@7.50.

CINCINNATI—Wheat: No. 2 red, \$1.07@1.10; Corn—No. 2 mixed, \$1.00@1.05; Oats—No. 2 mixed, \$1.00@1.05; Rye—No. 2, \$1.00@1.05; Lard—\$12.00; Bulk Meats—\$11.00; Bacon—\$15.25; Cattle—\$2.75@3.00; Sheep—\$4.00@4.50; Lambs—\$5.00@5.50; Hogs—\$5.00@5.50.

SOLEDO—Wheat, \$1.00@1.05; corn, \$1.00@1.05; oats, \$1.00@1.05; rye, \$1.00@1.05; cloverseed, \$6.00.

#### Envy.

"Don't you think envy is a terrible thing?" said the earnest girl. "No," answered Miss Gayenne; "not if it's the envy of some one else for something you possess."—Washington Star.

#### Both Live and Learn.

"A man lives and learns," remarked the husband, with some bitterness. "Well, the school of experience doesn't bar co-eds," retorted his wife. —Milwaukee Journal.

## STRIKERS FIRE ON CONSTABLES

### Seven Men Shot In Notorious Bloody Angle

#### McKees Rocks Officers Have Hands Full When Attempt Is Made To Check Oratory Of Foreigner Who Was Haranguing Men Formerly Employed In Pressed Steel Car Plant—Wounded Man Swims Ohio Only To Be Nabbed On Other Side

Pittsburg, April 21.—Township constables and strikers at McKees Rocks fought a battle in which seven persons were injured, three of them probably fatally.

The dying are: Constable M. J. Daniels, shot through abdomen and chest; Joe Biernot, Hungarian striker, shot several times by the constables; and an unknown striker, who refuses to give his name. The trio is at the Ohio Valley hospital, the last named two being under arrest. In addition to this one of the attacking strikers was hit by a train as he was escaping from the pursuing mob and knocked over the bank. He is thought to have fallen into the river, but no trace of him could be found in the darkness. A farmer named Hannan was shot through the hand and two unknown foreigners were carried away by their friends, apparently badly injured, but their names could not be learned.

#### Fought at Bloody Angle.

The battle occurred in the now notorious bloody angle, where so much rioting and bloodshed occurred in the last strike, and where the Victor bank was looted and two employees killed some weeks ago. There had been a mass meeting held by industrial workers of the world on a nearby Indian mound, and about 250 of the foreign-speaking workmen on their way back stopped at "bloody angle" to talk matters over. One leader was haranguing his fellow workmen in an unknown tongue and was getting wildly excited when Chief of Police Silvers of Erie county, with Constable Daniels, came up to the crowd and ordered it to disperse.

The speaker shouted something—

## 25 PEOPLE KILLED IN MINE EXPLOSION

Birmingham, Ala., April 21.—Twenty-five men are dead in the Mulka mine of the Birmingham Coal and Iron company as the result of an explosion. The explosion was of such force that the flames shot to a great height from the mouth of the shaft. The rescuing parties are encountering

ing great difficulty in their efforts to reach the entombed men.

Mayor Gaynor has issued a decree that all "keep off the grass" signs shall be removed from New York parks and the children be permitted to roam and play on the grass.

Columbus, O., April 21.—Senator Sherman Deaton of Champaign county, who was attacked Monday by appendicitis, was operated upon at a local hospital. Peritonitis has set in and the senator's condition is reported as being critical.

#### THIS AND THAT

Harry Dreyfus, 14, of Tiffin, O., picked up a live wire from the street and fell dead when the heavy voltage went through his body.

he jumped from the perch on which he had been standing, and there was a spit of flame from the crowd and Daniels fell, shot through the body. Three bullets passed through the clothing of Chief Silvers, but none hurt him. The mob, after its first fire of perhaps a dozen shots, made a rush for the prostrate constable, but Chief Silvers, standing over Daniels, began to shoot. Daniels rose to one arm and bent his fire, while four other constables who had been in the next square came running up, shooting as they came.

After exhausting their ammunition the strikers hurled rocks at the officers, and were only conquered after there were no more rocks to throw. The man who refuses to give his name was shot by Chief Silvers after a chase across the Ohio river in a rowboat, the foreigner swimming the entire distance. As he scrambled up the opposite bank, Silvers arose in the boat and ordered him to halt, which he did. When dragged into the boat it was discovered that he had been seriously wounded in the battle.

## HOFFSTOT ARRESTED

Buffalo, N. Y., April 21.—The police of several cities are looking for a man who robbed J. H. Cramblett, a piano salesman of Coshocton, O., of \$2,000, on a Lackawanna railroad train between Buffalo and Scranton.

ing great difficulty in their efforts to reach the entombed men.

Mayor Gaynor has issued a decree that all "keep off the grass" signs shall be removed from New York parks and the children be permitted to roam and play on the grass.

## MAYOR THREATENED

Cleveland, O., April 21.—Mayor Herman C. Baehr has received a letter signed "Mafia" and written in red ink, demanding \$5,000 on pain of death. The money was to be put in the hollow stump of a tree in Woodland Hills park. This letter is similar in character to those received some time ago by former Governor Myron T. Herrick and George H. Worthington. United States Marshal Henry Davis asserted his intention of having the matter investigated.